

FILED
9/27/17 10:11 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JAMES H. RAMSEY, JR. and
SANDRA L. RAMSEY,
Debtors.

JAMES H. RAMSEY, JR. and
SANDRA L. RAMSEY,
Movants,

v.

RUSHMORE LOAN
MANAGEMENT SERVICES,
RONDA J. WINNECOUR,
CHAPTER 13 TRUSTEE
Respondents.

: Case No. 16-23742-TPA
: Chapter 13
:
: Related to Doc. Nos. 15, 20, 59, 60, 61.
:
:
:
: Hearing: **Oct. 12, 2017** at **11:00 A.M.**
:
:
:
:

ORDER TO SHOW CAUSE

On April 17, 2017 the Debtor filed a *Motion to Extend the Loss Mitigation Period* ("Motion") at Document No. 59. On April 18, 2017 the Court entered a Text Order at Document No. 60, which required the Debtor to attach the Portal History to the *Motion*. After Debtor failed to take the required corrective action by the due date, the Court issued a Text Order on April 27, 2017 denying the *Motion* without prejudice. As a result, Dennis J. Sprya, Esq., Counsel for the Debtor, failed to timely comply with the *Loss Mitigation Order*, by filing *Final Report*, that is:

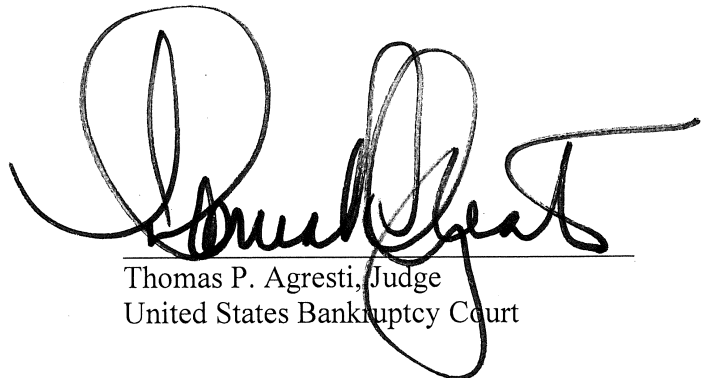
(8) *Within seven (7) days of the termination of the Loss Mitigation Period*, the Debtor shall submit an LMP Final Report pursuant to *W.P.A.LBR. 9020-4(f)*.

AND NOW, this 27th day of **September, 2017**, it is hereby **ORDERED**,
ADJUDGED and **DECREED** that:

(1) An **Order to Show Cause** is issued against **Dennis J. Spyra, Esq.**, to *personally* appear at a hearing scheduled on **October 12, 2017 at 11:00 A.M.**, in Courtroom C, 54th Floor, U.S. Steel Building, 600 Grant Street, Pittsburgh, PA 15219, and show cause as to why sanctions should not be imposed on him pursuant to this Court's inherent authority arising from 11 U.S.C. §105(a) and W.P.A.LBR 9020-4(f) for his failure to comply with the *Loss Mitigation Program* guidelines, i.e. failure to timely file a **Final Report**, which was due on **March 13, 2017**. The sanctions that may be imposed include:

- (a) A monetary fine for failure to comply with this Court's Order dated June 1, 2017.
 - (b) Other possible sanctions, monetary or otherwise, for the Atty. Spyra's failure to timely comply with this Court's Order and *Local Rules*.
- (2) If a **Final Report** is filed by (one week before hearing), the *Order to Show Cause* may be vacated and the hearing cancelled.

(3) Movant shall immediately serve a copy of this Order on the Respondent, and if known, Counsel for the Respondent, and filed certificate of service within five (5) days. A copy of this Order shall also be uploaded onto the Portal



Thomas P. Agresti, Judge
United States Bankruptcy Court

Case administrator to serve:
Debtors
Dennis J. Spyra, Esq.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
James H. Ramsey, Jr.
Sandra L. Ramsey
Debtors

Case No. 16-23742-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dkam
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2017.
db/jdb James H. Ramsey, Jr., Sandra L. Ramsey, 6001 Roslyn Street, McKeesport, PA 15135-1128

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 27, 2017 at the address(es) listed below:

Dennis J. Spyra on behalf of Debtor James H. Ramsey, Jr. attorneyspyra@dennisspyra.com,
deborah@dennisspyra.com/missdebrastone@msn.com
Dennis J. Spyra on behalf of Joint Debtor Sandra L. Ramsey attorneyspyra@dennisspyra.com,
deborah@dennisspyra.com/missdebrastone@msn.com
James Warmbrodt on behalf of Creditor U.S. Bank National Association, not in its individual
capacity but solely as trustee for the RMAC Trust, Series 2016-CTT bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 6